

FORTY-SIXTH DAY
(Continued)
(Thursday, April 2, 1981)

AFTER RECESS

The Senate met at 8:30 o'clock a.m. and was called to order by Senator Blake.

MESSAGE FROM THE HOUSE

House Chamber
April 2, 1981

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 258, Relating to the cutting, rerouting, or diversion of telephone lines in any emergency in which hostages are being held, or an armed suspect is barricaded, and probable cause to believe that a crime has been committed exists.

H.B. 576, Relating to the application of the Parks and Wildlife Code to crayfish.

H.B. 1413, Relating to jurisdiction over activities associated with uranium exploration.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Blake in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of **S.R. 148**.

After suspending the regular order, the following bills were read second time, amended where applicable, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of regular order, Constitutional Three-Day Rule and final passage indicated after caption of each bill)

S.C.R. 29 (Glasgow) Encouraging Real Estate Commission to continue support of local listings of barrier-free homes. (30-0) vv

S.C.R. 55 (Caperton) Granting Barbara McMurrey Hyde and Beverly McMurrey McFarland permission to sue the State. (30-0) vv

S.C.R. 66 (Doggett) Granting John M. Scanlan, et al, permission to sue the State. (30-0) vv

S.C.R. 67 (Doggett) Granting Associated Memorial Homes permission to sue the State. (30-0) vv

S.C.R. 69 (Doggett) Granting Paul Lindsey, et al, permission to sue the State. (30-0) vv

S.B. 440 (Meier) Relating to the composition of the Texas Energy and Natural Resources Advisory Council. (30-0)(30-0)(30-0)

C.S.S.B. 502 (Mengden) Relating to the probationary period for police officers in certain cities. (30-0)(30-0)(30-0)

C.S.S.B. 541 (Mengden) Relating to the name of the chief executive officer to the Texas Board of Licensure for Nursing Home Administrators and to license fees. (30-0) (30-0) (30-0)

S.B. 556 (Mauzy) Relating to extensions of filing deadlines in the appeal of a criminal case. (30-0) (30-0) (30-0)

S.B. 588 (Traeger) Relating to the registration of public retirement systems. (30-0) (30-0) (30-0)

Senator Traeger offered the following committee amendment to the bill:

Amend Senate Bill 588 by deleting SECTION 4 and replacing it with the following new Section 4:

SECTION 4. SEMIANNUAL REPORTS. Each public retirement system shall submit a semiannual report to the State Pension Review Board of the number of members and retirees of that system between January 1 and January 31 and between July 1 and July 31 of each calendar year, with initial report being due by January 31, 1982.

The committee amendment was read and was adopted.

Senator Traeger offered the following committee amendment to the bill:

Amend **S.B. 588** by renumbering SECTION 6 as SECTION 7 and by adding a new SECTION 6 as follows:

SECTION 6. ENFORCEMENT. (a) Except as provided by Subsection (b) of this section, if the governing body of a public retirement system fails or refuses to comply with a requirement of this Act that applies to it, a person residing in the political subdivision in which the members of the governing body are officers may file a motion, petition, or other appropriate pleading in a district court having jurisdiction in a county in which the political subdivision is located in whole or in part for a writ of mandamus to compel the governing body to comply with the applicable requirement.

(b) If the governing body of the Employees Retirement System of Texas, the Teacher Retirement System of Texas, the Texas Municipal Retirement System, or the Texas County and District Retirement System fails or refuses to comply with a requirement of this Act that applies to it, any resident of the state may file a pleading in a district court in Travis County for a writ of mandamus to compel the governing body to comply with the applicable requirement.

(c) The State Pension Review Board may file an appropriate pleading to enforce the provisions of this Act in the same manner as provided by Subsections (a) and (b) of this section for filing by an individual.

(d) If the prevailing party is other than the governing body of a public retirement system, the court may award reasonable attorney's fees and costs of suit.

The committee amendment was read and was adopted.

On motion of Senator Traeger and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

C.S.S.B. 589 (Traeger) Relating to information provided by a public retirement system to its members. (30-0) (30-0) (30-0)

C.S.S.B. 597 (Andujar) Relating to state loans for purchasing technological aids for visually handicapped persons. (30-0) (30-0) (30-0)

S.B. 603 (Caperton) Relating to the creation of the County Court at Law No. 2 of Montgomery County and the jurisdiction and compensation of the judge of the County Court at Law No. 1 of Montgomery County. (30-0) (30-0) (30-0)

S.B. 642 (Snelson) Relating to the place of transacting business of the Eighth Supreme Judicial District. (30-0) (30-0) (30-0)

Senator Snelson offered the following committee amendment to the bill:

Amend **S.B. 642** by adding Section 3 to read as follows:

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

C.S.S.B. 653 (Doggett) Relating to a lien for rent and other charges against property in a self-service storage facility. (30-0) (30-0) (30-0)

S.B. 687 (Ogg) Relating to the compensation of the presiding judge of certain administrative judicial districts. (30-0) (30-0) (30-0)

C.S.S.B. 729 (Mauzy) Relating to the filing of eminent domain cases in county courts at law and district courts. (30-0) (30-0) (30-0)

C.S.S.B. 759 (Mauzy) Relating to authorization for county governments in all counties of 500,000 inhabitants or more to establish alternative systems for resolution of disputes; to charge and collect costs in all civil cases for the administration of such system; and to administer or contract for the administration of such systems so established. (30-0) (30-0) (30-0)

S.B. 782 (Brooks) Relating to investment in bonds and notes of, addition of land to, and validation of certain actions of water control and improvement districts. (30-0) (30-0) (30-0)

S.B. 807 (Jones) Relating to standards of valuation for insurance certificates of fraternal benefit societies. (30-0) (30-0) (30-0)

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 807** on page 2, line 2 by adding after the word "future" and before the word "for", the following: "which would be permitted by the Standard Valuation Law" and on line 3 after the word "companies" and before the comma, the following "for a similar type of contract or benefit issued in the same calendar year."

The committee amendment was read and was adopted.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 807** on page 2, line 6 by adding after the word "future" and before the word "for," the following: "which would be permitted by the Standard Valuation Law" and on line 6 by adding after the word "companies" and before the period, the following: "for a similar type of disability benefit issued in the same calendar year."

The committee amendment was read and was adopted.

On motion of Senator Jones and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 822 (Ogg) Relating to the duties of the judges of certain municipal courts of record. (30-0) (30-0) (30-0)

S.B. 834 (Traeger) Relating to eligibility for and amount of benefits from the volunteer fire fighters' relief and retirement fund. (30-0) (30-0) (30-0)

S.B. 850 (Farabee) Relating to the jurisdiction of the County Court at Law of Wichita County. (30-0) (30-0) (30-0)

C.S.S.B. 858 (Caperton) Relating to the requirement of counties, cities, and towns to file copies of their budgets with the State Comptroller. (30-0) (30-0) (30-0)

S.B. 890 (Farabee) Relating to the child support service fee for the Wichita County Family Court Services Department. (30-0) (30-0) (30-0)

S.B. 900 (Howard) Relating to terms of court and the exchange of benches in the 15th and 59th Judicial Districts. (30-0) (30-0) (30-0)

S.B. 1122 (Traeger) Relating to a foreign trade zone for Laredo. (30-0) (30-0) (30-0)

BILL REMOVED FROM LOCAL AND UNCONTESTED BILLS CALENDAR

The following bill was removed from the Local and Uncontested Bills Calendar:

Bill Number	Senator Objecting
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